

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

WP(C).No. 23831 of 2015 (D)

PETITIONER(S) :

**P.P.MAKKAR,
S/O.PAREEDKUTTY, PUTHENPURAYIL HOUSE,
SREEBHOTHAPURAM, SREEMOOLANAGARAM P.O., ANGAMALI,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA**

RESPONDENT(S) :

- 1. ASSISTANT ENGINEER,
KERALA WATER AUTHORITY, ANGAMALI,
ERNAKULAM DISTRICT-683 572.**
- 2. ASST. EXECUTIVE ENGINEER,
KERALA WATER AUTHORITY, ANGAMALI,
ERNAKULAM DISTRICT-683 572.**
- 3. THE SPECIAL TAHSILDAR, (REVENUE RECOVERY),
ALUVA-683 101.**

**R1 & R2 BY ADV. SRI.GEORGE MATHEW, S.C
R3 BY GOVERNMENT PLEADER SRI.GIKKU JACOB**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 18-08-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE PROVISIONAL INVOICE CARD ISSUED BY THE KERALA WATER AUTHORITY.

EXHIBIT P2: TRUE COPY OF THE BILL ISSUED ON 26-05-2005 IN RESPECT OF SM 97.

EXHIBIT P3: TRUE COPY OF THE RECEIPT DATED 22-02-2008.

EXHIBIT P4: TRUE COPY OF THE DEMAND NOTICE DATED 25-06-2012 WITH DISCONNECTION NOTICE.

EXHIBIT P5: TRUE COPY OF THE RECEIPT DATED 25-08-2012.

EXHIBIT P6: TRUE COPY OF THE BILL DATED 03-07-2014 ISSUED BY THE KERALA WATER AUTHORITY.

EXHIBIT P7: TRUE COPY OF THE REVENUE RECOVERY NOTICE.

EXHIBIT P8: TRUE COPY OF THE REPRESENTATION DATED 23-07-2015.

EXHIBIT P9: TRUE COPY OF THE REPRESENTATION DATED 30-07-2015.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

PA.TO JUDGE.

Msd.

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 23831 of 2015

Dated this the 18th day of August, 2015

JUDGMENT

The petitioner, challenging a demand for water consumption, has approached 2nd respondent-Assistant Executive Engineer by Ext.P9. The petitioner has remitted an amount of Rs.5,000/- as ordered by this Court.

In that view of the matter, the 2nd respondent is directed to consider Ext.P9 after issuing notice to the petitioner within one month. Till the decision is taken by the 2nd respondent by Ext.P9, no disconnection shall be made. In the event of any disconnection is proposed, the petitioner shall be given a notice before disconnection.

In view of the above, revenue recovery proceedings shall be deferred for a period of two months. Further recovery would depend upon the decision of the second respondent based on Ext.P9.

The writ petition is disposed of as above.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE